

STANDBY/ON-CALL HOURS

1042

(No. 22 April 1991)

FOR ALL EMPLOYEES

1042.1

(No. 22 April 1991)

Many CAL FIRE employees have standby and on-call time built into their duty weeks (such as Work Week Groups 2D, 2E, 4D22, and 4D29), and they are compensated for this time as part of their regular pay plus planned overtime where applicable. Some employees do not have standby/on-call time incorporated into the regular duty week (e.g., Work Week Groups 1 and 2). If the latter group of employees is placed on standby or on-call status, they may require overtime compensation. In making this determination, refer to the affected employees memorandum of understanding and [Section 1058](#) regarding Fair Labor Standards Act (FLSA) considerations.

Standby/on-call hours may be used for emergency or nonemergency assignments that do not typically happen on a planned, routine, and recurring basis. It is the supervisor's responsibility to make on-call or standby assignments clear to the employees. Absent a specific order to commence standby or on-call services, the employee is considered off duty. When the supervisor signs the attendance report, he/she becomes responsible for verification of all time recorded.

There is no distinction between the purpose of standby/on-call hours during emergency response period (ERP) and nonemergency response period (NERP) assignments.

Standby

The immediate availability for contact and response to an emergency or to a work assignment from a duty station or work location, ready and able to respond immediately to a given work assignment with necessary tools, vehicles, equipment, etc., required for performance.

On-Call

Availability for contact and response to a work assignment or emergency from a location other than the duty station (e.g., home), with variable time limits for response to the position and within prescribed limits established by management. The possibility of a delayed time factor for contact and response, plus the possibility of first reporting back to the duty station, largely distinguishes "on-call" from the more immediate action required of "standby" duty.

During on-call time, an employee is free to engage in personal pursuits subject only to the understanding that s/he can be reached (e.g., phone, beeper, messenger, etc.) and return to work fit for duty within the period of time specified by the region and unit.

FOR EMPLOYEES IN WORK WEEK GROUPS
2D, 2E, 4D22, 4D29
(No. 22 April 1991)

1042.2

The intent of Section 8.08(3) and 8.08(4) of the Unit 8 contract regarding the use of standby and on-call hours incorporated into the regular shift is that these hours may not be used to perform routinely scheduled work assignments. They are to be used to schedule and make personnel available for contact and response to work assignments during periods of time when work is not normally scheduled.

When nonemergency work is planned during what would have been standby or on-call incorporated into the regular shift, the Department recognizes that adjustments to work hours are appropriate.

If nonemergency work is planned during what would have been standby or on-call time incorporated into the regular shift, work hours for that day may be adjusted so they encompass the activity. Adjustments need not be made for emergency work, normal housekeeping, personal hygiene, all work necessary for immediate emergency response, and unexpected situations requiring work during standby/on-call time.

Below are examples of when standby or on-call hours may or may not be used. These examples assume that an employee is scheduled for standby and on-call time for the particular day in question and that the employee has not otherwise exceeded the hours in his/her regular duty shift.

Example 1. An employee is required to attend a County Board of Supervisors meeting scheduled on the third Tuesday of each month.

Attending such a meeting is considered a routine work assignment, therefore, standby/on-call hours should not normally be used. To attend this evening meeting, the employee's daily hours of work may be changed (reference Section 8.08(2) of the Unit 8 collective bargaining agreement). For example, the employee may work from noon to 9:00 p.m. instead of from 8:00 a.m. to 5:00 p.m. The employee will not receive additional compensation or a work time adjustment under MOU Section 8.08(4) for attending the meeting if his work hours are changed.

Example 2. An employee is scheduled to participate in a pre-planned vegetation management burn scheduled outside the normal hours of work.

This is a routine work assignment. The employee does not get additional compensation for working during standby/on-call hours under these circumstances; however, supervisors should adjust daily work hours to encompass the assignment as per MOU Section 8.08(4).

Example 3. An employee is assigned to pick up materials in lieu of using commercial freight. The trip extends past the employee's normal work hours because of mechanical problems.

This is considered an unexpected situation and standby/on-call hours may be used. The employee does not get additional compensation or a work time adjustment under MOU Section 8.08(4) for working during standby/on-call hours under these conditions.

Example 4. An employee is assigned to pour and finish a concrete sidewalk. The concrete truck arrives after the scheduled arrival time, requiring use of a standby/on-call time to properly finish the concrete.

This is considered an unexpected situation and standby/on-call hours may be used. The employee does not get additional compensation for working during standby/on-call hours or receive a work time adjustment according to MOU Section 8.08(4) under these circumstances.

Example 5. An employee has already put in eight hours required by his/her duty shift and has 16 hours of standby time scheduled. The employee is then asked to wash and polish an engine during his/her standby hours.

This is an inappropriate use of standby time. Standby time may not be used to perform routine work assignments such as equipment maintenance. An employee is only required to work eight hours of hard duty on routine, nonemergency assignments.

Example 6. An employee works eight hours or more and returns to his/her station after a fire. The supervisor tells the employee to service the engine so it will be ready for the next response to an emergency.

Servicing an engine so it is ready to respond to an emergency is necessary, unplanned work which must occur; therefore, standby/on-call hours may be used without additional compensation or a work time adjustment.

Example 7.

A crew captain is assigned a work project requiring the use of a specialized piece of equipment. During the work project the piece of equipment becomes unusable and repairs must be made to continue the project the next day. The time needed to complete the repairs extends into the standby/on-call period.

This is an unexpected situation and standby/on-call hours may be used. The employee does not get additional compensation or a work time adjustment under MOU Section 8.08(4) for working during the standby/on-call under this situation.

[\(see next section\)](#)

[\(see HB Table of Contents\)](#)

[\(see Forms or Forms Samples\)](#)